UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/917,576	Applicant(s) KRACK, MIKE
	Examiner Gerald Gauthier	Art Unit 2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 December 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-42</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-42</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 09, 2004 has been entered.

Allowable Subject Matter

2.   **Claims 28 and 40** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3.   The following is a statement of reasons for the indication of allowable subject matter: Regarding **claims 28 and 40** the prior art fails to disclose when the output data stream includes a switch symbol, directing step (g) is performed and, when the input voice stream includes a switch symbol, directing step (a) is performed.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   **Claim 1** is rejected under 35 U.S.C. 102(e) as being anticipated by O'Brien (US

6,601,031).

Regarding **claim 1**, O'Brien discloses a speech recognition front end controller to

voice mail systems (column 1, lines 11-14), (which reads on claimed "an interactive

voice response system for a telecommunications system"), comprising:

an adjunct processor (5 on FIG. 3) that outputs an output data (column 3, line 39

"the talk path") stream to a user (column 3, lines 35-47) [The speech recognition system

connects the call path of the voice mail system back to the subscriber]; and

a speech gateway enabling system (40 on FIG. 3) comprising:

a speech recognition engine (column 3, line 21 "automatic speech recognition")

operable to identify words (column 3, line 42 "a speech command") in an input voice

stream (column 3, line 42 "a speech") received from the user on a first communication

path (22 on FIG. 3) extending between the user and the speech gateway enabling

system (column 3, lines 35-47) [The automatic speech recognition of the speech

recognition system recognizes the command speak by the subscriber along the talk

path from the subscriber to the speech recognition system]; and

a speech gateway controller (column 3, line 19 "the speech recognition control")

operable:

(a)   to transfer at least a portion of the input voice stream received from the

user from the first communication path to a second communication path (57 on

FIG. 3) extending between the speech gateway enabling system to the adjunct

processor (column 3, lines 35-47) [The speech recognition system receives the

call and automatically calls the voice mail system]; and

(b)   to transfer the at least a portion of the input voice stream received from

the user from the first communication path to the speech recognition engine for

processing (column 3, lines 35-47) [The speech recognition system listens to the

subscribers for speech commands to transfer the data to the automatic speech

recognition].

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   **Claims 2-3, 5-6 and 25** are rejected under 35 U.S.C. 103(a) as being

unpatentable over O'Brien in view of Nakashima (US 5,479,490).

Regarding **claim 2**, O'Brien as applied to **claim 1** differs from **claim 2** in that it

fails to disclose the speech gateway enabling system comprises a speech digitizer that

converts the input voice stream from analog to digital form and the first and second

communication paths are trombone together.

However, Nakashima teaches wherein the speech gateway enabling system

comprises a speech digitizer that converts the input voice stream from analog to digital

form and the first and second communication paths are trombone together (column 6,

lines 17-30).

It would have been obvious to one of the ordinary skill in the art at the time the

invention was made to use the speech gateway enabling system comprises a speech

digitizer of Nakashima to modify the invention of O'Brien.

The modification of the invention would offer the capability of the speech gateway

enabling system comprises a speech digitizer such as the system would provided a

remote control command by voice signals.

Regarding **claim 3**, Nakashima discloses wherein the first and second

communication paths are configured by a switching system and the speech gateway

controller is further operable to generate and transmit a command signal to the adjunct

processor based on words identified by the speech recognition engine (9 on FIG.1).

Regarding **claim 5**, Nakashima discloses wherein switching system comprises a

plurality of communication ports and the first communication path extends between first

and second communication ports of the switching system and the second

communication path extends between different third and fourth communication ports of

the switching system (column 4, lines 29-49)

Regarding **claim 6**, Nakashima discloses wherein the speech gateway controller

performs operation (b) in a first operational mode and wherein the speech enabling

gateway controller is also operable (c) to transfer at least a portion of the output data

stream from the second communication path to the first communication path and (d), in

a second operational mode, to transfer the at least a portion of the output data stream

from the second communication path to the speech recognition engine for processing

(column 4, lines 41-61).

Regarding **claim 25**, Nakashima discloses wherein the first operational mode is

performed in response to a command signal from the user and the second operational

mode is performed in response to a command signal from the adjunct processor

(column 9, lines 24-39).

8.   **Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien

in view of Nakashima and in further view of Lustgarten et al. (US 6,389,398).

Regarding **claim 4**, O'Brien and Nakashima as applied to **claim 3** differs from

claim 4 in that it fails to disclose the speech enabling gateway system comprises

grammar correlating a plurality of words with a corresponding plurality of DTMF codes in

the command set of the adjunct processor.

However, Lustgarten teaches wherein the speech enabling gateway system

comprises grammar correlating a plurality of words with a corresponding plurality of

DTMF codes in the command set of the adjunct processor (column 3, lines 1-16).

It would have been obvious to one of the ordinary skill in the art at the time the

invention was made to use the grammar correlating a plurality of words with a

corresponding plurality of DTMF codes of Lustgarten to modify the invention of O'Brien

and Nakashima.

The modification of the invention would offer the capability of the grammar

correlating a plurality of words with a corresponding plurality of DTMF codes such as

the system would automatically accessing information on the network telephony.

9.   **Claims 7, 9 and 17-18** are rejected under 35 U.S.C. 103(a) as being

unpatentable over O'Brien in view of Lustgarten.

        Regarding **claim 7**, O'Brien discloses a speech recognition front end controller to

voice mail systems (column 1, lines 11-14), (which reads on claimed "a method of

providing interactive voice response capability in a telecommunications system"),

comprising:

        (a)   directing to a speech recognition engine (column 3, line 21 "the automatic

speech recognition") at least a portion of an input voice stream (column 3, line 42

"a speech") received from a user (column 3, line 40 "the subscriber) on a first

communication path (22 on FIG. 3) extending between the user and a first

adjunct processor (column 3, lines 35-47) [The automatic speech recognition of

the speech recognition system recognizes the command speak by the subscriber

along the talk path from the subscriber to the speech recognition system];

        (b)   detecting, with the speech recognition engine, at least some of the words

(column 3, line 42 "speech command") in the at least a portion of the input voice

stream (column 3, lines 35-47) [The automatic speech recognition of the speech

recognition system recognizes the command speak by the subscriber along the

talk path from the subscriber to the speech recognition system];

        (c)   transferring the input voice stream received from the user to a second

communication path (57 on FIG. 3) extending between the first adjunct processor

and a second adjunct processor (column 3, lines 35-47) [The speech recognition

system forwards the DTMF control signals corresponding to the spoken

command to the voice mail system];

(e)   transmitting a command signal (column 3, line 45 "DTMF control signals")

corresponding to at least one identified command code (column 3, line 46 "the

spoken command") to the second adjunct processor on the second

communication path (column 3, lines 35-47) [The speech recognition system

forwards the DTMF control signals corresponding to the spoken command to the

voice mail system].

O'Brien discloses the combination of automatic speech recognition and DTMF

detector to recognize the spoken commands but fails to disclose comparing at least

some of the detected words with a grammar, the grammar correlating a plurality of

words with a corresponding plurality of command codes, to identify corresponding

command codes for each of the at least some of the detected words.

However, Lustgarten teaches:

(d)   comparing at least some of the detected words with a grammar (12C on

FIG. 1), the grammar correlating a plurality of words (column 3, line 3 "voice

commands") with a corresponding plurality of command codes (column 3, line 12

"DTMF"), to identify corresponding command codes for each of the at least some

of the detected words (column 3, lines 1-16) [The combination of automatic

speech recognition an DTMF algorithms enable the system to transmit an

appropriate response to a query from its stored spoken word utterances].

It would have been obvious to one of the ordinary skill in the art at the time the

invention was made to use a plurality of words with a corresponding plurality of DTMF

codes and transmitting a DTMF signal of Lustgarten to modify the invention of O'Brien.

The modification of the invention would offer the capability of a plurality of words

with a corresponding plurality of DTMF codes and transmitting a DTMF signal such as

the system would automatically accessing information on the network telephony.

Regarding **claims 9 and 18**, Lustgarten teaches wherein the grammar further

includes at least one switch symbol for at least one of enabling and disabling the

directing step (a) (column 3, lines 1-16).

Regarding **claim 17**, O'Brien discloses a speech recognition front end controller

to voice mail systems (column 1, lines 11-14), (which reads on claimed "a system of

providing interactive voice response capability in a telecommunications system"),

comprising:

first and second adjunct processors (40 and 5 on FIG. 3);

a speech recognition engine (column 3, line 20 "the automatic speech recognition") that

detects at least some words in an input voice stream (column 4, line 32 "a voice signal

output") received from a user (column 3, line 40 "the subscriber") on a first

communication path (22 on FIG. 1) extending between the user and the first adjunct

processor (column 3, lines 35-47) [The automatic speech recognition of the speech

recognition system recognizes the command speak by the subscriber along the talk

path from the subscriber to the speech recognition system];

directing means for directing to the speech recognition engine at least a portion

of the input voice stream (column 3, line 40 "the subscriber") received from the user

(column 3, lines 35-47) [The automatic speech recognition of the speech recognition

system recognizes the command speak by the subscriber along the talk path from the

subscriber to the speech recognition system];

transferring means for transferring the at least a portion of the input voice stream

received from the user to a second communication path (57 on FIG. 3) extending

between the first adjunct processor and the second adjunct processor (column 3, lines

35-47) [The speech recognition system forwards the DTMF control signals

corresponding to the spoken command to the voice mail system];

transmitting means for transmitting a DTMF signal (column 3, line 45 "DTMF

control signals") corresponding to at least one identified DTMF code on a second

communication path (57 on FIG. 3) extending between the first adjunct processor and

the second adjunct processor (column 3, lines 35-47) [The speech recognition system

forwards the DTMF control signals corresponding to the spoken command to the voice

mail system].

O'Brien discloses the combination of automatic speech recognition and DTMF

detector to recognize the spoken commands but fails to disclose comparing at least

some of the detected words with a grammar, the grammar correlating a plurality of

words with a corresponding plurality of command codes, to identify corresponding

command codes for each of the at least some of the detected words.

However, Lustgarten teaches comparing means for comparing at least some of

the detected words with a grammar (12C on FIG. 1), the grammar correlating a plurality

of words with a corresponding plurality of DTMF codes (column 3, line 3 "voice

commands"), to identify corresponding DTMF codes for each of the at least some of the

detected words (column 3, lines 1-16) [The combination of automatic speech

recognition an DTMF algorithms enable the system to transmit an appropriate response

to a query from its stored spoken word utterances].

It would have been obvious to one of the ordinary skill in the art at the time the

invention was made to use a plurality of words with a corresponding plurality of DTMF

codes and transmitting a DTMF signal of Lustgarten to modify the invention of O'Brien.

The modification of the invention would offer the capability of a plurality of words

with a corresponding plurality of DTMF codes and transmitting a DTMF signal such as

the system would automatically accessing information on the network telephony.

10.   **Claims 8, 10-16 and 19-24** are rejected under 35 U.S.C. 103(a) as being

unpatentable over O'Brien in view of Lustgarten and in further view of Nakashima.

Regarding **claim 8**, O'Brien and Lustgarten as applied to **claim 7** differs from

claim 8 in that it fails to disclose the directing and transferring steps occur at least

substantially simultaneously.

However, Nakashima teaches wherein the directing and transferring steps occur

at least substantially simultaneously (column 4, lines 41-61).

It would have been obvious to one of the ordinary skill in the art at the time the

invention was made to use the directing and transferring steps occur at least

substantially simultaneously of Nakashima to modify the invention of O'Brien.

The modification of the invention would offer the capability of the directing and

transferring steps occur at least substantially simultaneously such as the system would

provided a remote control command by voice signals.

Regarding **claims 10 and 19**, Nakashima teaches wherein the speech gateway

enabling system comprises a speech digitizer that converts the input voice stream from

analog to digital form (column 6, lines 17-30).

Regarding **claims 11 and 20**, Nakashima teaches:

(f)   configuring the first communication path for a first communication session

initiated by the user with the first adjunct processor (column 4, lines 29-40); and

(g)   thereafter configuring the second communication path for a second

communication session, initiated by the first adjunct processor, between the first

and second adjunct processors (column 7, lines 36-67).

Regarding **claims 12 and 21**, Nakashima teaches

(f)   transferring an output data stream from the second communication path to

the first communication path the output data stream being received from the

second adjunct processor (column 8, lines 11-46).

Regarding **claim 13**, Nakashima teaches wherein transferring steps (c) and (f)

occur at least substantially simultaneously (column 8, lines 47-61).

Regarding **claims 14 and 22**, Nakashima teaches

(f)   muting the first communication path when the transmitting step (e) is

performed (column 8, lines 47-61).

Regarding **claims 15 and 23**, Nakashima teaches

(f)   determining if the output from the speech recognition engine includes a

switch symbol (column 9, lines 3-24); and

(g)   when the output includes a switch symbol, at least one of enabling or

disabling the directing step (a) (column 9, lines 25-40).

Regarding **claims 16 and 24**, Nakashima teaches

(f)   determining if one of the first and second communication paths has been

disconnected (column 12, lines 34-49); and

(g)   when one of the first and second communication paths has been

disconnected, disconnecting the other of the first and second communication

paths (column 12, lines 50-64).

11.   **Claim 26** is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien

in view of Nakashima in further view of Fawcett et al. (US 5,802,526).

Regarding **claim 26**, O'Brien and Nakashima as applied to **claim 7** differs from

claim 8 in that it fails to disclose the speech gateway controller is operable to place the

user on hold while the command codes are transmitted to the adjunct processor.

However, Faucet teaches wherein the speech gateway controller is operable to

place the user on hold while the command codes are transmitted to the adjunct

processor (column 2, lines 21-35).

It would have been obvious to one of the ordinary skill in the art at the time the

invention was made to use the speech gateway controller is operable to place the user

on hold of Faucet in the invention of O'Brien and Nakashima.

The modification of the invention would offer the capability of the speech gateway controller is operable to place the user on hold such as the system would automatically accessing information on the network telephony.

12.   **Claims 27 and 41** are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien in view of Lustgarten in further view of McAllister (US 6,385,584).

Regarding **claim 27**, O'Brien and Lustgarten as applied to **claim 7** differs from **claim 27** in that it fails to disclose the plurality of command codes are DTMF codes and the command signal is a DTMF signal.

However, McAllister teaches wherein the plurality of command codes are DTMF codes and the command signal is a DTMF signal (column 7, lines 31-40).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the plurality of command codes are DTMF codes and the command signal is a DTMF signal of McAllister in the invention of O'Brien and Lustgarten.

The modification of the invention would offer the capability of the plurality of command codes are DTMF codes and the command signal is a DTMF signal such as the system would automatically accessing information on the network telephony.

Regarding **claim 41**, McAllister teaches wherein the directing and transferring

operations occur simultaneously (column 5, lines 43-60).

13.   **Claims 29-33, 35-37 and 42** are rejected under 35 U.S.C. 103(a) as being

unpatentable over McAllister in view of O'Brien.

Regarding **claim 29**, McAllister discloses a method for providing automated voice

responses with variable user prompting (column 1, lines 6-9), (which reads on claimed

"a method of providing interactive voice response capability in a telecommunications

system"), comprising:

(a)   directing to a speech recognition engine (114 on FIG. 1) at least a portion

of an output data stream (column 5, line 50 "a speech signal") received from a

second adjunct processor (102 on FIG. 1) on a second communication path (118

on FIG. 1) extending between the second adjunct processor and a first adjunct

processor (column 5, lines 43-60) [The speech signal from the telephone

interface is sent to the speech recognition engine];

(b)   detecting with the speech recognition engine, at least some of the words

in the at least a portion of the output data stream received from the second

adjunct processor (column 5, lines 54-60) [The buffered speech is processed to

extract the phonetic components];

(d)   comparing at least some of the detected words with at least one command

signal (column 5, lines 54-60) [The phonetic components are match with the

appropriate speech models]; and

(e)   when the output data stream includes a command signal, terminating the

directing step (column 6, lines 20-38) [The phonemes are compared to names, if

a name is found the system proceeds to retrieve the associated telephone

number].

McAllister discloses the buffered speech processed to extract the phonetic

components but fails to disclose transferring the at least portion of an output data

stream received from the second adjunct processor to a first communication path

extending between the user and the first adjunct processor.

However, O'Brien teaches,

(c)   transferring the at least portion of an output data stream received from the

second adjunct processor to a first communication path extending between the

user and the first adjunct processor (column 3, lines 35-47) [The speech

recognition system listens to the subscribers for speech commands to transfer

the data to the automatic speech recognition].

It would have been obvious to one of the ordinary skill in the art at the time the

invention was made to use transferring the at least portion of an output data stream

received from the second adjunct processor to a first communication path extending

between the user and the first adjunct processor of O'Brien to modify the invention of

McAllister.

The modification of the invention would offer the capability of transferring the at least portion of an output data stream received from the second adjunct processor to a first communication path extending between the user and the first adjunct processor such as the system would provided a speech recognition system at the front end of the voice mail system.

Regarding **claim 30**, McAllister discloses:

(f)   directing to the speech recognition engine at least a portion of an input voice stream received from a user and the first communication path extending (column 5, lines 43-60);

(g)   detecting with the speech recognition engine at least some words in the at least a portion of the input voice stream (column 5, lines 54-60);

(h)   transferring the input voice stream to the second communication path (column 5, line 50-54);

(i)   comparing at least some of the detected words with a grammar, the grammar correlating a plurality of words with a corresponding plurality of command codes, to identify corresponding command codes for each of the at least some of the detected words (column 5, lines 54-60); and

(j)   transmitting a command signal corresponding to at least one identified command code on the second communication path (column 6, lines 20-38).

Regarding **claim 31**, McAllister discloses wherein the directing and transferring steps occur at least substantially simultaneously (column 5, lines 43-60).

Regarding **claim 32**, McAllister discloses wherein the grammar further includes at least one switch symbol for at least one of enabling and disabling the directing steps (a) and (f) (column 5, lines 50-60).

Regarding **claim 33**, McAllister discloses:

(k)   converting the input voice stream from an analog from to a digital form (column 4, lines 24-31).

Regarding **claim 35**, McAllister discloses wherein transferring step (c) and the directing step (a) occur at least substantially simultaneously (column 5, lines 43-60).

Regarding **claim 36**, McAllister discloses wherein the directing step (a) and (f) occur at different times and the transferring steps (c) and (h) occur at least substantially simultaneously (column 5, lines 43-60).

Regarding **claim 37**, McAllister discloses:

(f)   muting the first communication path when the transmitting step (j) is performed (column 7, lines 41-67).

Regarding **claim 42**, McAllister discloses wherein the directing step (f) and transferring step (h) occur simultaneously (column 5, lines 43-60).

14.   **Claims 34 and 38-39** are rejected under 35 U.S.C. 103(a) as being unpatentable over McAllister in view of O'Brien and in further view of Nakashima.

Regarding **claim 34**, McAllister and O'Brien as applied to claim 29 differs from claim 34, in that it fails to disclose configuring the first communication path for a first communication session initiated by the user and configuring the second communication path for a second communication session, initiated by the first adjunct processor.

However, Nakashima teaches:

(k)   configuring the first communication path for a first communication session initiated by the user with the first adjunct processor (column 12, lines 34-49); and

(l)   thereafter configuring the second communication path for a second communication session, initiated by the first adjunct processor, between the first and second adjunct processors (column 12, lines 50-64).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use configuring the first communication path for a first communication session initiated by the user of Nakashima in the invention of McAllister and O'Brien.

The modification of the invention would offer the capability of configuring the first

communication path for a first communication session initiated by the user such as the

system would automatically accessing information on the network telephony.

Regarding **claim 38**, Nakashima teaches:

(k)   determining when the at least a portion of the input voice stream includes

a switch symbol (column 12, lines 34-49); and

(l)   when the at least a portion of the input voice stream includes a switch

symbol, at least one of enabling or disabling the directing step (f) (column 12,

lines 50-64).

Regarding **claim 39**, Nakashima teaches:

(f)   determining when one of the first and second communication paths has

been disconnected (column 12, lines 34-49); and

(g)   when one of the first and second communication paths has been

disconnected, disconnecting the other of the first and second communication

paths (column 12, lines 50-64).

Response to Arguments

15.   Applicant's arguments with respect to **claims 1-42** have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

16.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-

0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

g.g.
May 3, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600